



ACTS and LAWS,

Made and passed in and by the General Court or Assembly of the State of Connecticut, in America, holden at New-Haven, (in said State) on the second Thursday of October, A. D. 1799.

An Act in addition to and alteration of an Act, entitled, " An Act for forming and conducting the Military Force of this State, conformable to the Act of Congress, passed the 8th Day of May 1792.

*Amended
prior*

PAR. I. **B**E it enacted by the Governor and Council, and House of Representatives, in General Court assembled, That in future, non-commissioned Officers and Musicians shall

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Militia.

Non-commissioned officers, &c. not to be discharged unless, &c.

not be discharged from military Duty, for any cause whatever, excepting Inability, in which case they shall obtain their Discharges in the same manner, as is prescribed by Law for Privates; and that non-commissioned Officers and Musicians, who shall remove from the Companies in which they were chosen, into the limits of any other Company, or who shall remove from any other State into this State, shall be liable to perform military Duty as Privates, in the Company in the limits of which they reside, unless they have actually performed the Duties of non-commissioned Officers or Musicians for the term of three Years,

Drummers and fifiers may be ordered out for practice and instruction.

2. *And be it further enacted*, That the commanding Officers of the several Regiments of Infantry, shall, if they judge it necessary, order the Drummers and Fifiers, belonging to their respective Regiments, to assemble at such Times and Places as they shall direct, for the purpose of Practice and Instruction, not exceeding two Days in each Year, exclusive of the Days of regimental Exercise. And if any Drummer or Fifer, shall neglect or refuse to obey such Order, he shall be liable to the same Penalty as is by Law provided for like neglect or refusal on Days of company Exercise.

Appeals regulated.

3. *And be it further enacted*, That in case of an Appeal by any Private or non-commissioned Officer from the Judgment of the commanding Officer of the Company, imposing a Fine for neglect of Duty, to the commanding Officer of the Regiment or Brigade, such commanding Officer shall decide on such Appeal within sixty Days, after the same is made, and give notice of his Decision in writing to the commanding Officer of the Company, and in case no Decision shall be made and notice given within the Time aforesaid, the commanding Officer of the Company shall proceed to collect the Fines by him imposed, notwithstanding such Appeal.

Fines for neglect of military duty.

4. *And be it further enacted*, That the Fines and Penalties incurred for Non-appearance and deficiencies of Arms, Ammunition and Accoutrements shall in future be as follows, viz. Each non-commissioned Officer, Drummer, Fifer or Trumpeter who shall neglect to appear at the Time and Place appointed for regimental or battalion Exercise or Review, being legally warned thereto shall forfeit and pay a Fine of *Three Dollars* for each Days neglect, and for each Days neglect to appear at the Time and Place appointed for company Exercise or Inspection, being legally warned thereto, shall forfeit and pay a Fine of *One Dollar and Fifty Cents*, and each Private belonging to any Company of Militia, shall for Non-appearance on Days of regimental or battalion Exercise or Review, being thereto legally warned, forfeit and pay a Fine of *Two Dollars* for each Day's neglect, and for Non-appearance at Time and Place for company Exercise or Inspec-

tion he shall forfeit and pay a Fine of *One Dollar* for each Day's neglect ; and for deficiencies of Arms, Ammunition and Accoutrements, required by Law, each non-commissioned Officer and Private shall forfeit and pay for each Day of Review or Exercise that he shall be deficient, the following Fines, viz. For a Gun or pair of Pistols, each *Seventy-five Cents* ; for Sword, Bayonet or Cartridge Box, each *Fifty Cents* ; and for each of the other Articles required by Law, *Twenty-five Cents*.

5. *Be it further enacted*, That each non-commissioned Officer, Musician and Soldier, liable by Law to perform military Duty, who shall dress himself in Uniform, and arm and equip himself according to Law, and shall on or before the first Day of January deliver to the Listers of the Town to which he belongs a Certificate thereof from the commanding Officer of the Company to which he belongs, and that he has faithfully performed his Duty in said Company for one Year immediately preceding, without incurring any Penalty for the neglect thereof, shall for such Year be exempted from all Taxes, payable into the Treasury of this State, arising upon his Head in the List of such Year, and that in such case the Listers shall certify with the List of the Town to the Comptroller the number of Persons exempted as aforesaid and to the Town Clerks the Names of each Person so exempted.

Exemption
from poll-tax.

*Repealed
June 5/94*

6. *Be it further enacted*, That all Fines and Penalties, collected by the commanding Officer of any Company, more than sufficient to purchase Trumpets, Drums and Fifes for such Company shall be paid into the Hands of the Treasurer of the Town to which such Company belongs, to be by the Selectmen thereof applied in purchasing Arms, for those who are unable to arm and equip themselves ; *Provided however*, When such Company shall be composed from several Towns, such surplus shall be paid to the Treasurers of such Towns respectively, in proportion to the number of non-commissioned Officers, Musicians and Soldiers in such Company, from such Towns respectively, at the Time of such Payment.

Fines how dis-
posed of.

7. *Be it further enacted*, That while any Furnace shall be in blast, there shall be allowed and exempted from military Duty, not exceeding eight Men for each, who work constantly at the same while in blast, at the discretion of the Selectmen of the Town where said Furnace shall be, and a Certificate from such Selectmen shall be sufficient evidence of such allowance and exemption.

Persons em-
ployed at fur-
naces exempt.

8. *Be it further enacted*, That all the Citizens living in the Town of Montville, liable to do military Duty in the 20th Regiment of Militia, shall be and they are hereby annexed to the 3d Regiment.

Regiments 3d
and 20th.

Parts of acts
repealed.

9. *And be it further enacted*, That the third Paragraph of An Act entitled, An Act in addition to and alteration of an Act, entitled An Act for forming and conducting the Military Force of this State, conformable to an Act of Congress, passed the 8th Day of May 1792, and so much of the fifth Paragraph of said Act as respects the Inspection of Companies, and all Parts of prior Acts for forming and conducting the Military Force of this State repugnant to this Act, be and the same are hereby repealed.

An Act in further alteration of an Act, entitled,
“ An Act for regulating Salaries and Fees.”

Fees of judges
of county
courts.

*Repealed
while judge
5-8-8.*

BE it enacted by the Governor and Council, and House of Representatives, in General Court assembled, That to the Judge of each and every County Court, shall be paid per Day, Two Dollars and Fifty Cents, and to each Justice of the Quorum per Day, Two Dollars, any Law to the contrary notwithstanding.

An Act in addition to an Act, entitled, “ An Act providing in Cases of Sickness.”

Compensation
to health-offi-
cer, &c.

BE it enacted by the Governor and Council, and House of Representatives, in General Court assembled, That whenever any Selectman or Health-Officer shall enter on board any Ship or Vessel, in pursuance of the Provisions of the Act to which this is in addition, such Selectman or Health-Officer, shall, as a compensation for his services, be entitled to receive of the Master or commanding Officer of such Ship or Vessel, One Dollar and Fifty Cents, to be recovered by Action of Debt, before any Court proper to try the same.

An Act in addition to and alteration of an Act, entitled, “ An Act in addition to and alteration of an Act for regulating Ferries.

Fare of East-
Windsor ferry.

BE it enacted by the Governor and Council, and House of Representatives, in General Court assembled, That the Fare of East-Windsor Ferry at the Warehouse-Point, shall be as follows,

viz. For a Man, Horse and Load from the first Day of December to the first Day of June, *Twelve Cents, Five Milles*; and for a led Horse, *Six Cents, Two Milles*, any Law or Usage to the contrary notwithstanding.

An Act in alteration of an Act, entitled "An Act for the direction of Lifters in their Office and Duty."

BE it enacted by the Governor and Council and House of Representatives in General Court assembled, That no Stallion or Stallions not Seed Horse, shall be exempted from the List for or on account of such Horse's being owned or inlisted, by any Trooper, any thing in said Act to the contrary notwithstanding.

An Act to incorporate the Connecticut Academy of Arts and Sciences.

WHEREAS Literary Societies have been found to promote, diffuse and preserve the knowledge of those Arts and Sciences, which are the support of Agriculture, Manufactures and Commerce, and to advance the Dignity, Virtue and Happiness of a People.—Therefore,

PAR. 1. **B**E it enacted by the Governor and Council and House of Representatives in General Court assembled, That Timothy Dwight, James Dana, Zephaniah Swift, John Allen, David Daggett, Jesse Root, John C. Smith, Isaac Beers, Nathaniel Smith, Elijah Munson, Josiah Meigs, Enoch Perkins, Jeremiah Atwater 4th, John Barker, Elias Shipman, Noah Webster, jun. Simeon Baldwin, Elizur Goodrich, Obadiah Hotchkiss, jun. Timothy Pitkin, jun. Theodore Dwight, Abraham Bishop, Asher Miller, Stephen Titus Hosmer, James Hillhouse, Jeremiah Wadsworth, Pierpont Edwards, Isaac Mills, Eli Whitney, John Davenport, John Bowden, Bela Hubbard, Jonathan O. Moseley, Jonathan Sturges, Elizur Wright, Jeremiah Townsend, jun. Jared Mansfield, John Marsh, Nathan Perkins, Levi Hart, John Treadwell, Oliver Ellsworth, Jonathan Trumbull and Eneas Munson, and their Associates, be, and they hereby are formed into, constituted and made a Body Politic and Corporate by the name of "*The Connecticut Academy of Arts and Sciences,*" and by that name they and their successors shall and may have per-

petual succession ; shall be capable of suing and being sued, pleading and being impleaded, in all suits of what nature soever ; may have a common Seal, and may alter the same at pleasure ; and may also purchase, receive, hold and convey any Estate real or personal ; *Provided* that the annual income of such Estate shall not exceed *One Thousand Dollars*.

Powers of the corporation.

2. *And be it further enacted*, That the said Academy may from Time to Time elect a President and a keeper of Records, which keeper of Records shall be sworn to a faithful discharge of his trust ; and such other Officers as they may find necessary or convenient, may elect additional Members, *Provided* the whole number of Members resident in this State shall never exceed two hundred, nor ever be less than forty ; and the said Academy may make By-Laws, respecting the number, qualifications and duties of their Officers ; the mode of election and admission of Members ; the Time, Place and Manner of holding their Meetings, and the number necessary to make a quorum ; and all other By-Laws, which they may deem necessary for the due regulation of said Society, not repugnant to the Laws of this State, or of the United States ; and may annex reasonable pecuniary Fines and Penalties, for the breach of such By-Laws not exceeding *Ten Dollars* for one offence.

First meeting.

3. *And be it further enacted*, That the first Meeting of said Academy be held at the State-House in New-Haven on the fourth Tuesday of instant October.

Repealable.

4. *And be it further enacted*, That this Act or any part thereof if found inadequate or inconvenient, may be altered, amended, or repealed.

An Act regulating the Streets and Buildings in the City of Hartford, and for preserving the Health of the Inhabitants thereof.

Width of Streets, &c.

PAR. 1. *BE it enacted by the Governor and Council, and House of Representatives, in General Court assembled*, That hereafter there shall not be laid out in the City of Hartford any public Highway, Street or Alley, of less width than forty Feet, except at its entrance, or at its intersection of another Street, Highway or Alley.

Buildings regulated.

2. *And be it further enacted*, That no House, Shop or Store shall be erected, fronting upon any private Way, Street or Alley of less width than forty Feet, which shall be hereafter laid out or opened by any Individual or Individuals ; *Provided nevertheless*

That the Court of Common Council be, and they hereby are authorized, (if they see fit) to give special license to any Proprietor or Proprietors of Lands adjacent, to erect Stores or Shops, fronting upon such private Ways, Streets or Alleys.

3. *And be it further enacted*, That every Person who shall, contrary to the Provisions of this Act, erect any House, Shop or Store, fronting upon any private Way, Street or Alley, hereafter to be laid out or opened, shall forfeit and pay to the Treasurer of the County of Hartford, a Fine of not less than *One Hundred Dollars*, nor more than *Five Hundred Dollars*, according to the circumstances of the Offence. Fine.

4. *And be it further enacted*, That in addition to such Fine, all Dwelling-Houses erected contrary to the Provisions of this Act, shall be annually assessed fourfold in the Lists of Polls and rateable Estate of the Town and of the City of Hartford; and all other Buildings erected contrary to the Provisions of this Act, shall be annually set in such Lists at the sum of *Thirty Dollars*; and it shall be the Duty of the Listers to set the same accordingly in the Lists of said Town and City; and all such Houses and Buildings shall be ever afterwards rated accordingly in all Taxes whatever. Fourfold assessed, &c.

5. *And be it further enacted*, That the Court of Common Council of said City be, and they hereby are authorized and empowered to designate Lines on the Lands of Proprietors adjoining the Streets, Highways and Alleys, both public and private, already laid out or hereafter to be laid out in said City, between which Lines and such Streets, Highways or Alleys, no Building or Part of a Building shall be erected; provided such Lines be not more than fifteen Feet distant from such Street, Highway or Alley. Common Council may designate lines, &c.

6. *And be it further enacted*, That every Person who shall, contrary to the Provisions of this Act, erect any Building or Part of a Building, between any such Line and any such Street, Highway or Alley, shall forfeit and pay to the Treasurer of the County of Hartford, a Fine of not less than *One Hundred Dollars*, nor more than *Five Hundred Dollars*; And in addition to such Fine, all such Buildings shall be assessed fourfold, and set in the Lists and rated in all Taxes in the same manner as is provided in the fourth Paragraph of this Act. Fines.

7. *And be it further enacted*, That for the purpose of promoting a free circulation of Air in said City, said Court of Common Council be authorized to designate and establish Passways and Openings between the Buildings in said City; and if any Person shall, by erecting any Building or other Obstacle, obstruct the free circulation of Air through any such Passway or Opening, he shall Openings between buildings.

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forfeit and pay to the Treasurer of the County of Hartford, a Fine of not less than *One Hundred Dollars*, nor more than *Five Hundred Dollars*.

Powers of the
Court of Com-
mon Council.

8. *And be it further enacted*, That said Court of Common Council be, and they hereby are authorized and empowered to cause all Grounds in said City where Water at any Time becomes stagnant, to be raised and filled up, or drained ; and to cause all putrid Substances, whether animal or vegetable, to be removed ; and to cause all Nuisances injurious to Health to be abated, suppressed and removed.

To fill up and
raise low
grounds.

9. And to effect the purposes aforesaid, said Court of Common Council may from Time to Time, as they shall judge it conducive to the Health of the Inhabitants of said City, give order to the Proprietor or Proprietors of any and all Grounds subject at any Time to be covered with stagnant Water, to fill up and raise such Grounds, at their own expence ; and said Court of Common Council may designate how high such Grounds shall be filled up and raised ; and may limit such Time as they shall deem reasonable, for filling up and raising the same : And if such Proprietor or Proprietors shall neglect to fill up and raise such Grounds in such manner, and within such Time, as said Court of Common Council shall have designated and limited ; said Court of Common Council may, in such case, appoint and employ some meet Person or Persons to fill up and raise such Grounds, and may adjust and liquidate the expence thereof, and apportion and assess the same upon such Proprietors, and make a Rate Bill thereof, specifying each Proprietor's Share of such expence, and appoint a Collector or Collectors to collect such Assessment, and pay the same within such Time as said Court of Common Council shall limit, and to such Person as they shall appoint to receive the same for the purpose of defraying such expence ; and said Court of Common Council shall cause such Collector duly to account for the amount of such Rate Bill ; and the Mayor or one of the Aldermen of said City shall issue a Warrant of Distress to such Collector, authorizing him to collect such Assessment of such Proprietor or Proprietors ; and every such Collector shall proceed in the same manner, and have the same powers, and be under the same regulations, as the Law prescribes in case of Collectors of public Taxes.

Or to drain low
grounds.

10. *And be it further enacted*, That if said Court of Common Council shall judge it conducive to the Health of the Inhabitants of said City, to open and establish Drains in said City ; said Court of Common Council may designate the Places where such Drains shall be opened, and the depth and width thereof ; and such Drains may be opened through Lands of Individual Proprietors,

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as well as through public Highways. And said Court of Common Council may employ suitable Persons to open such Drains, and from Time to Time to cleanse and repair the same ; and may adjust and liquidate the expence thereof, and apportion and assess the same upon the several Proprietors of the Lands through which such Drains are opened, and also upon the Proprietors of such Grounds as are drained thereby ; and such Assessment or Assessments shall be collected, accounted for, and paid over, in the manner prescribed in the preceding paragraph ; and for those purposes, the same powers are hereby granted, and the same duties enjoined.

Provided always, That if any Person shall be agrieved by the doings of the Common Council under the ninth and tenth Paragraphs of this Act, or either of them, he may prefer his complaint to the next Court of Common Pleas in the County of Hartford, against said City, by causing a Copy of such complaint to be left with the Clerk of said City, at least twelve Days before the sitting of said Court : And if said Court, on a hearing of such complaint, shall be of the opinion that any part or the whole of such expence so incurred ought to be borne by said City, said Court shall order and direct that such Complainant be relieved from the payment of such part, or from the whole of such expence, as to them may appear just and equitable : And if it shall appear, on such hearing, that said Complainant hath actually paid any sum or sums of Money which ought to be refunded, said Court may grant execution in favor of such Complainant, against said City, for such sum.

Provido, allowing an appeal.

11. *And be it further enacted*, That said Court of Common Council be, and they hereby are authorized and empowered to cause all putrid Substances of every kind in said City, to be removed at the expence of the Proprietors of the Buildings or Lands wherein or whereon such putrid Substances may be ; and the expence thereof shall be liquidated, collected and paid in the manner prescribed in the ninth Paragraph of this Act ; and to this end the same powers are hereby granted, and the same Duties enjoined.

To cause putrid substances to be removed.

12. *And be it further enacted*, That full power and authority be, and hereby is granted to the Court of Common Council of said City, to make By-Laws for preserving the Health of the Inhabitants of said City ; *Provided nevertheless*, That such By-Laws be approved and published, and be liable to be repealed in the same manner as the By-Laws which said Court of Common Council are already authorized to make.

To make By-Laws.

13. And this Act shall be, to all intents and purposes, a public Act.

Public Act.

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Skins.

An Act to repeal "An Act to prevent the felling or transporting raw or untanned Hides or Skins out of this State."

Repeal.

BE it enacted by the Governor and Council and House of Representatives in General Court assembled, That said Act be, and the same hereby is repealed.

HARTFORD:

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